

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue
New York, New York 10151
Telephone: (212) 588-0800
Facsimile: (212) 588-0500
E-mail: Firm@flhlaw.com

FACSIMILE COVER LETTER

To: Helen Childs
Firm: United States Patent and Trademark Office
Facsimile No.: 703-308-4242
From: Thomas J. Kowalski
Date: 09/18/01
Re: U.S. Application Serial No. 09/
No. of Pages: 9
(including cover page)

FAX RECEIVED
SEP 18 2001
GROUP 1600

09/18/01


If you do not receive all pages or are unable to read the transmission, please call and ask for Angela Nigro (Ext. 2198).

Helen,

This is a copy of the petition we filed on August 17, 2001, which the patent office has no record of receiving. Also enclosed is a copy of a communication we prepared to forward a copy of the Petition to the USPTO.

Thank you for your assistance in this matter.

Best regards,



Angela M. Nigro
Legal Assistant to Thomas J. Kowalski

CONFIDENTIALITY NOTICE

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00028785

PATENT
674554-2002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : ANVERSA, Piero
Serial No. : 09/919,732
For : METHODS AND COMPOSITIONS FOR THE
REPAIR AND/OR REGENERATION OF
DAMAGED MYOCARDIUM
Filed : July 31, 2001 (incorrectly accorded August 1, 2001)
Examiner : To Be Assigned
Art Unit : To Be Assigned

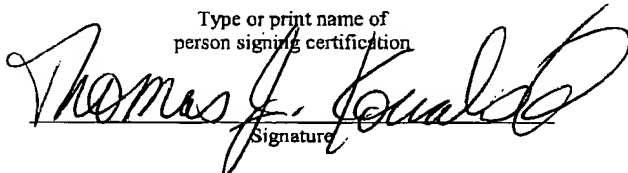
FAX RECEIVED
SEP 18 2001
GROUP 1500745 Fifth Avenue
New York, NY 10151

OFFICIAL

FACSIMILE

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on the date shown below.

Thomas J. Kowalski, Reg. No. 32,147

Type or print name of
person signing certification

Signature

September 14, 2001

Date of Signature

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX DAC

Dear Sir:

Enclosed is a Petition to Accord Filing Date as of the Date of Deposit as "Express
Mail" for the above-referenced application, which was originally filed by Express Mail,

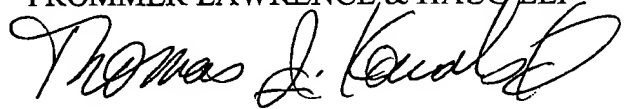
PATENT
674554-2002

label number EL 742667655 on August 17, 2001. As the Petition Branch has no record of receiving the Petition, an additional copy is hereby submitted by facsimile, also enclosing a copy of the Express Mail Label from August 17, 2001.

It is respectfully requested that the Petition be granted and the application be accorded a filing date of July 31, 2001.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Thomas J. Kowalski
Reg. No. 32,147
(212) 588-0800

FAX RECEIVED
SEP 18 2001
GROUP 1600



EL 742667655 US



POST OFFICE TO ADDRESSEE

UNITED STATES POSTAL SERVICE®

ORIGIN (POSTAL USE ONLY)

| | | |
|--|--|--|
| PO ZIP Code | Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In Mo. Day Year | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ |
| Time In <input type="checkbox"/> AM <input type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials | Total Postage & Fees \$ |

DELIVERY (POSTAL USE ONLY)

| | | |
|---|---|--------------------|
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| Delivery Date | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | | |
| <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. | | |
| NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature | | |

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE 212 588 0800

FROMMER LAWRENCE & HAUG LLP
745 5TH AVE FL 10
NEW YORK NY 10151-1000

674554-2002 TSK/amm

TO: (PLEASE PRINT)

PHONE ()

Assistant Commissioner for
Patents

Washington, DC 20231

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com

Mailing Label
Label 11-F August 2000F02
T

344/ 2



POST OFFICE TO ADDRESSEE

UNITED STATES POSTAL SERVICE®

ORIGIN (POSTAL USE ONLY)

| | | |
|---|--|--|
| PO ZIP Code 10150 | Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In Mo. Day Year 8/17/01 | <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 12.45 |
| Time In Mo. Day Year 17/01 | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. 1.5 | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input checked="" type="checkbox"/> Holiday | Acceptance Clerk Initials | Total Postage & Fees \$ 12.45 |

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE 212 588 0800

FROMMER LAWRENCE & HAUG LLP
745 5TH AVE FL 10
NEW YORK NY 10151-1000

674554-2002 TSK/amm

TO: (PLEASE PRINT)

PHONE ()

Assistant Commissioner for
Patents

Washington, DC 20231

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



EL 742667655 US

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

Customer Copy
Label 11-F August 2000F02
T

344/



POST OFFICE TO ADDRESSEE



EL 819168747 US

ORIGIN (POSTAL USE ONLY)

| | | |
|--|--|--|
| PO ZIP Code 10002 | Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In 7 31 01 | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 16.25 |
| Time In 2:30 PM | <input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee \$ |
| Weight 4 lbs | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekday <input type="checkbox"/> Holiday | Acceptance Clerk Initials JL | Total Postage & Fees \$ 16.25 |

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

Customer Copy
Label 11-F August 2000

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or

Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

FROMMER LAWRENCE & HAUG LLP
745 5TH AVE FL 10
NEW YORK NY 10101-1000

TSK/amy 674554-2002

TO: (PLEASE PRINT)

PHONE ()

Assistant Commissioner For
Patents
Washington DC 20231
Box: Patent Application

FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.COM



Mailed by Express mail, label EL 819168747 US on July 31, 2001.

Serial No. TBA File No. 674554-2002 By TSK/amy

Title In the Matter of the Application of Anversa

The following due 7/31/01 in the U.S. Patent Office, was received in the Patent Office

| | | |
|--|--------------------------------------|---|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Declaration | <input checked="" type="checkbox"/> Express Mail Mailing Certificate |
| <input type="checkbox"/> Amendment | | (separate sheet) |
| <input type="checkbox"/> Preliminary Amendment | | <input checked="" type="checkbox"/> Check No. <u>16891</u> for \$ <u>1992</u> |
| <input type="checkbox"/> Amendment After Final Rejection | | <input type="checkbox"/> Deposit Account Order Form |
| <input type="checkbox"/> Request for Extension of Time | | <input checked="" type="checkbox"/> Drawing <u>29</u> Sheet(s) |
| <input type="checkbox"/> Provisional Patent Application | | <input type="checkbox"/> Information Disclosure Statement |
| <input checked="" type="checkbox"/> Application for Patent, including | | <input type="checkbox"/> PTO Form 1449 |
| <u>52</u> Pages Specification <u>153</u> Claims | | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Oath <input checked="" type="checkbox"/> Power Unsigned | | <input type="checkbox"/> Brief <input type="checkbox"/> Letter |
| <input type="checkbox"/> Request for Filing Continuation or Divisional | | <input type="checkbox"/> Application for TM Registration |
| Application — sheets, in duplicate | | Including — Specimens |
| <input type="checkbox"/> File Wrapper Continuation Patent Application | | <input type="checkbox"/> Status Request <input type="checkbox"/> Notice of Appeal |
| — sheets, in duplicate | | <input type="checkbox"/> Petition <input type="checkbox"/> Response |
| <input type="checkbox"/> PCT Request — sheets, including | | <input type="checkbox"/> Priority Document |
| <input checked="" type="checkbox"/> Transmittal Letter to the US/RO | | <input type="checkbox"/> Small Entity Declaration |
| <input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet | | <input checked="" type="checkbox"/> Return postcard |
| <input checked="" type="checkbox"/> Fee transmittal | | |

10/23 U.S. PTO
09/19/01



Exhibit 1

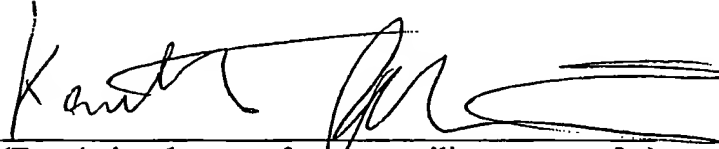
CERTIFICATE OF MAILING - SEPARATE PAPER - UTILITY APPLICATION


Attorney Docket No. : 674554-2002
Title : METHODS AND COMPOSITIONS FOR REPAIR AND/OR
REGENERATION OF DAMAGED MYOCARDIUM
Filed : Herewith
Applicants : ANVERSA

Mailed: **July 31, 2001** via "Express Mail Label # **EL 81916747 US**

I hereby certify that the divisional application for the above-referenced application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX: PATENT APPLICATION


(Type/printed name of person mailing paper or fee)


Signature